

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND SECTION 28.4.2, LAND USE PETITION REQUIREMENTS, AND SECTION 12A.3.1, APPROVAL OF ALTERATIONS OR NEW CONSTRUCTION, OF THE SANDY SPRINGS ZONING ORDINANCE

WHEREAS, Article XII of the City's Zoning Ordinance established the Sandy Springs Overlay District; and

WHEREAS, Section 12B.3.C.4 of the Zoning Ordinance states staff of the Department of Community Development shall forward the Design Review Board's recommendations to the City Council for rezonings, concurrent variances and/or modifications to conditions; and

WHEREAS, Section 28.2.4 does not require elevations to be submitted with the rezoning package which limits the ability of the board to adequately review the design; and

WHEREAS, Section 12B.3.C.4 of the Zoning Ordinance states staff of the Department of Community Development shall forward the Design Review Board's recommendations to the City Council for rezonings, concurrent variances and/or modifications to conditions; and

WHEREAS, it is the recommendation of staff of the Department of Community Development, the Design Review Board, and the Planning Commission that colored renderings of each building elevation together with building material samples be required as part of the rezoning package requirements to afford the Design Review Board an opportunity to provide comments on building design early in the rezoning process.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Section 28.4.2, *Land Use Petition Requirements*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion in its entirety and the following inserted therefor:

28.2.4. **LAND USE PETITION REQUIREMENTS.** In order to be accepted by the Department, all land use petitions shall include the following with the required number of copies of each as prescribed by the Director:

- a. Pre-petition review form;
- b. Signed and notarized petition with original signatures;
- c. Legal description;
- d. Letter of intent;
- e. Site plan which meets the requirements specified in Article 28.5.2;
- f. Site plan checklist which indicates compliance with site plan requirements specified in Section 28.5.2;
- g. Environmental Site Analysis, as described in Section 28.4.3.1;

- h. 8 ½" x 11" site plan;
- i. Zoning impact analysis for rezoning petitions, as described in Section 28.4.1;
- j. Disclosure form;
- k. Public Participation Plan, as described in Section 28.4.7;
- l. Public Participation Report, as described in Section 28.4.7;
- m. Traffic Impact Study, as described in Section 28.4.4, if applicable;
- n. Metropolitan River Protection Act pre-preview letter, if applicable;
- o. MARTA corridor plan review form, if applicable;
- p. Development of regional impact review form, if applicable;
- q. Environmental Impact Report, as described in Section 28.4.3.2, if applicable;
- r. Other documents as identified in the pre-petition review; and
- s. Non-refundable filing fee.
- t. For properties located in the Sandy Springs Main Street Overlay District, land use petitions shall also be accompanied by building material samples and schematic plan sets detailing at a minimum:
 - 1. Building elevations for each side of the building(s) indicating building heights, fenestration, roof or parapet design, exterior materials and colors.
 - 2. A basic floor plan shall also be provided showing the perimeter walls and fenestration, loading areas, etc.

2.

Section 12A.3.1, *Approval of Alterations or New Construction*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion in its entirety and the following inserted therefor:

- 12A.3.1. APPROVAL OF ALTERATIONS OR NEW CONSTRUCTION. Applicants for a Sandy Springs land disturbance permit or building permit shall obtain a Certificate of Endorsement (COE) for applicable properties. However, a COE is not required for land disturbance or building permits if the subject development was previously reviewed by the DRB in conjunction with a land use petition and the permit request is consistent with the land use petition as approved by the City. Subject to the determination of the Community Development Director, a COE may be required if the plans associated with the land disturbance or building permit are found to be inconsistent with the approved land use petition. A COE is not required for the issuance of a Sandy Springs sign permit.

3.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

5.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

6.

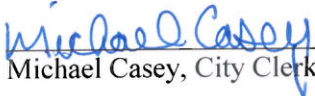
This Ordinance is effective December 21, 2010; and

APPROVED AND ADOPTED this the 21st day of December, 2010.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)

